



## Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

October 31, 2008

Philip Giudice, Commissioner  
Massachusetts Department of Energy Resources  
100 Cambridge Street, Suite 1020  
Boston, MA 02114

### Re: Reply Comments – Class I Regulations – Union of Concerned Scientists

Commissioner Giudice:

Thank you for the opportunity to offer reply comments on the Massachusetts Department of Energy Resources's rule-making for the RPS Class I provisions of the Green Communities Act. We offer responses to select comments:

- Regarding comments of **Associated Industries of Massachusetts** suggesting that electricity providers be required to “document for consumers the cost of purchasing this mandated renewable supply [under the RPS]”: any such presentation would be incomplete without also presenting the benefits of those purchases. Renewable portfolio standards such as Massachusetts' offer many such benefits, including price suppression, given the displacement of higher-cost generation by zero-bid renewable energy resources; reduced pollution through displacement of fossil fuels, which has environmental and financial implications; and reduced natural gas costs because of reduced demand, which has implications for consumers' electricity costs and their heating bills. Presenting only the costs of the RPS would do the state and consumers a disservice.
- Regarding the comments of the **Bay State Hydropower Association** and **TransCanada** on appropriate environmental standards for hydro: the suggestions of those organizations seem inadequate given the specific requirements of the statute. We would respectfully suggest that DOER consider requiring certification from the Low Impact Hydropower Institute, as an organization evaluating projects based on a range of criteria, including those addressed in the statute.
- Regarding the comments of the **Bay State Hydropower Association** for awarding RECs from January 1, 2009, including those approved after that date: Any retroactive awarding of RECs would set a dangerous precedent that could de-stabilize the Massachusetts REC market; there seems no valid reason for justifying such an exception in this particular case.
- Regarding the comments of **ReEnergy** on the inclusion of construction and demolition (C&D) waste as a biomass resource: contrary to ReEnergy's assertion, the establishment by the Legislature of the special commission to consider C&D

waste, combined with DOER's own lengthy consideration of the matter in recent years, is indeed grounds for continuing to exclude unsorted C&D waste from consideration as an eligible fuel under the RPS.

Thank you for your attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "JH Rogers", with a long horizontal flourish extending to the right.

John H. Rogers  
Northeast Clean Energy Project Manager  
617.547.5552